

ASK THE TIC

NEW PACKAGING LAWS MAY EFFECT YOUR EXPORTS

by Susan Lusi & Rachael Farber

Trade Information Center, Trade Development



WHY DO COUNTRIES REGULATE WOOD PACKAGING ASSOCIATED WITH IMPORTING GOODS INTO THEIR MARKETS?

Wood packaging that protects consumable products can accidentally introduce foreign pests and diseases that are harmful to forestry. With this in mind, many countries, including the United States, have intervened to create regulations to prevent the introduction of foreign pests and diseases through untreated solid wood packaging materials (SWPM). The occurrence of an infestation can burden the economy with prohibitive costs associated with pest removal.



HOW HAVE OTHER COUNTRIES REGULATED WOOD-PACKAGING?

China, the United States, Brazil, New Zealand and Australia have particular concerns about the transmission of wood-borne pests. The U.S. Department of Agriculture's Animal and Plant Health Inspection Services (APHIS) is charged with developing U.S. regulations to prevent the introduction and infestation of harmful pests and is also responsible for implementing the appropriate port controls. APHIS accomplishes this function through carrying out agricultural quarantine inspections at land, sea and border ports, and through offering pre-clearance certification in the country of origin. U.S. exporters need to be aware of the evolving regulations abroad relating to wood packaging. Some of the more recent developments are listed below.

CHINA

In mid-1999, the Government of China notified the United States that it had detected the presence of the pinewood nematode, an insect pest that is occasionally found in certain U.S. softwood species, in shipments containing wood-packing materials originating in the United States. On January 1, 2000, China enacted a new import rule for wood packaging. All U.S. companies shipping goods to China from the United States must comply with the rule. The rule requires exporters to make one of three declarations: 1.) Their cargo contains no solid wood packaging material (that is, the pallets, crating or stabilizers are all made from processed wood, such as plywood or fiberboard, or from non-wood materials, such as metal or plas-

tic); 2.) Their cargo does contain solid wood packaging material, but it is all of hardwood (non-coniferous) species, such as oak, ash or maple; or 3.) Their cargo is made of coniferous solid wood packaging material, but the material in the pallets and containers has undergone heat treatment. The rule also applies to shipments coming to China from Canada and Japan, and is estimated to affect 25 to 35 percent of all imports to China.

Chinese Customs requires exporters using softwood solid wood packaging material (SWPM) to submit a certificate from the U.S. Department of Agriculture/APHIS that the SWPM has undergone heat treatment according to the Chinese standard. "Heat-treated" is defined as "raising the core temperature of the wood to 56°C for 30 minutes." This heat treatment destroys pinewood nematode. The rule currently applies to all softwood species, including Southern Yellow Pine. At this time, China will only accept heat treatment. Other treatments, such as fumigation or pressure treatments do not meet the Chinese standard.

To certify that your packaging meets China's regulations, you must contact APHIS. You may find the closest regional APHIS office on APHIS's website (www.aphis.usda.gov). Based on local shipping conditions, the regional office can tell you the minimal lead-time needed and other details on obtaining certification. Exporters of coniferous SWPM must know, and be able to document, that the conifer wood in their shipment has been properly heat-treated. Exporters will certify the heat treatment on the Certificate of Heat Treatment, PPQ Form 553. APHIS will then review the exporter's declaration and, if accepted, endorse it. Documentation of heat treatment must be made available for official review (if required) for one year after date of issuance. The APHIS website has all the required forms in downloadable formats.

If you are using non-solid wood packing material or non-coniferous solid wood packing material, China requires that you fill out the appropriate declarations. Failure to present the appropriate declaration may lead to costly delays at the port of entry. If your pallets or crates contain no solid wood packaging material (that is, the packaging is made of plywood, fiberboard, metal or plastic), then use the "declaration of no-wood packing material" (found

online at www.aphis.usda.gov/oa/chinaswp/nonconifer.html). If your pallets or crates are made from solid wood components, but only from hardwood species (such as maple, oak, ash, etc), then use the “declaration of non-coniferous wood packing material” (found online at www.aphis.usda.gov/oa/chinaswp/nowood.html).

BRAZIL

On January 5, 2000, the Brazilian government implemented a new law (Portaria Interministerial - 499) requiring that solid wood packaging material from the United States, China, Japan and North and South Korea be fumigated before entry into Brazil. This regulation was established to prevent the introduction of the asian long-horned beetle, a wood-boring pest native to East Asia that can live in untreated wood packing material. The requirement may soon be dropped for shipments from the United States, however, as the United States has a control program in place for the asian long-horned beetle.

At the time of this writing, Brazil still requires that importers document, with a phytosanitary certificate, that the SWPM originating from the United States has been fumigated at the port of export. However, please note that APHIS does not issue phytosanitary certificates for SWPM. Therefore, U.S. shipments will probably be held and treated upon arrival at the port of entry, at the importer's expense. Processed wood packaging materials, such as plywood, particleboards and wood resin material, are not considered to be SWPM by the Brazilian government and are not subject to the fumigation procedure.

U.S. exporters are encouraged to ensure that SWPM used in shipments to Brazil are free of bark, insects and evidence of insect damage. To avoid processing delays, U.S. exporters are recommended to document that the material has been heat-treated or document, within 15 days prior to shipment, that the SWPM has been fumigated. If the SWPM has been treated, the Ministry of Agriculture also requires a “Pest Risk Test”, issued by its Sanitary Department, performed at the port, also at the importers' expense.

AUSTRALIA

The Australian Quarantine and Inspection Service (AQIS) requires that the exposed timber components of containers be permanently treated to AQIS standards. SWPM will be permitted entry if the consignment is accompanied by a valid treatment certificate that documents the associated SWPM has undergone fumigation, heat treatment, irradiation or treatment with preservatives. Crating and dunnage made from plywood, chipboard or particleboard are exempt from the treatment requirements if they have been manufactured in the United States, Canada, Europe, Australia, the United

Kingdom or Israel, and have not been previously used. The packaging must be shipped to Australia within 21 days of the treatment.

AQIS also has some additional documentation requirements for shipments that contain wood packing materials. Their excellent website (www.aqis.gov.au/import/index.htm) has more details on acceptable treatments for timber, required documents and the quarantine process. You can also direct questions to the Australian customs office, which is attached to the Australian Embassy, at Tel: (202) 797-3245.

NEW ZEALAND

New Zealand's Ministry of Agriculture maintains regulations on SWPM. The Ministry of Agriculture and Forestry Quarantine Officers inspect all wood and wood packaging upon entry to New Zealand. In order for goods to clear customs immediately, the Ministry of Agriculture recommends that exporters fumigate, heat treat or kiln dry their solid wood packaging materials within 21 days of shipment or containerization. The customs process can be expedited if all wood and wood products are accurately described on the manifest and if the sterilization certificates reach the Ministry of Agriculture and Forestry Quarantine Offices in New Zealand before the shipment arrives. Sterilization and fumigation certificates should contain specific information, including the name of the company who carried out the procedure, the duration of the procedure and other information depending on the type of treatment. If a shipment containing unprocessed, uncertified wood packaging material is found to have, or is suspected of being infected by, an unwanted organism, the cargo will be sterilized at the importer's expense.

An updated list of phytosanitary requirements can be obtained from the Manager of Quarantine Services at Tel: (64) 9 377-3008. Some information is also available at the New Zealand Customs website (www.customs.govt.nz). American exporters with specific questions should also contact the Ministry of Agriculture and Forestry at Tel: (64) 4-474-4100, or visit their website (www.maf.govt.nz/forestry). ■

For more information about wood packaging regulations, contact your regional APHIS office, APHIS headquarters at Tel: (301) 734-8965, the APHIS website (www.aphis.usda.gov) under “Hot Issues”, or the Trade Information Center at Tel: 800-USA-TRAD(E), Internet: <http://tradeinfo.doc.gov>.

This column was written with the assistance of Export Services at APHIS, and Michael Hicks and Roseann Freese at the Foreign Agricultural Service.